

PATENT COOPERATION TREATY

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From the
INTERNATIONAL SEARCHING AUTHORITY

To:

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PCT

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**
(PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION

See paragraph 2 below

International application No.
PCT/US2005/013154

International filing date (day/month/year)
18.04.2005

Priority date (day/month/year)
06.10.2004

International Patent Classification (IPC) or both national classification and IPC
H04Q7/38

Applicant
SONY ERICSSON MOBILE COMMUNICATIONS AB

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - a sequence listing
 - table(s) related to the sequence listing
 - b. format of material:
 - in written format
 - in computer readable form
 - c. time of filing/furnishing:
 - contained in the international application as filed.
 - filed together with the international application in computer readable form.
 - furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/US2005/013154

**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or
industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes: Claims	
	No: Claims	1-18
Inventive step (IS)	Yes: Claims	
	No: Claims	1-18
Industrial applicability (IA)	Yes: Claims	1-18
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V.

- 1 Reference is made to the following documents:

D1 : US 2004/082351 A1 (WESTMAN ILKKA) 29 April 2004

D2 : WO 2004/012421 A (QUALCOMM, INCORPORATED) 5 February 2004

2 INDEPENDENT CLAIM 1

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT. Document D1 discloses (the references in parentheses applying to this document):

A method of creating a temporary site dependent push-to-talk/media (PTT/M) group for allowing PTT/M communications among a visiting PTT/M equipped mobile device and site based PTT/M equipped devices while the visiting PTT/M equipped mobile device is on-site wherein the PTT/M equipped devices operate on one or more inter-communicable PTT/M networks (paragraphs 26, 27, 30,31), the method comprising:

detecting when a visiting PTT/M equipped mobile device comes on-site (paragraphs 33, 35);

registering the visiting PTT/M equipped mobile device with the site based PTT/M equipped devices and the site based PTT/M equipped devices with the visiting PTT/M equipped mobile device such that normal group PTT/M communications can take place (paragraph 36, sentence 2);

detecting when a visiting PTT/M equipped mobile device goes off-site (paragraph 40, sentence 3) ;

de-registering the visiting PTT/M equipped mobile device with the site based PTT/M equipped devices and the site based PTT/M equipped devices with the visiting PTT/M equipped mobile device when the PTT/M equipped mobile device goes off-site (paragraph 40, sentence 2) .

For the sake of completeness, it is pointed out that objection of lack of novelty set out above could also have been substantiated using document D2 (paragraphs 1, 17, 21;

paragraph 44, sentence 4; paragraph 45).

3 INDEPENDENT CLAIM 10

The subject-matter of claim 10 defines the same features as in claim 1 but in terms of "system". For these reasons, the subject-matter of claim 10 is not new (Article 33(2) PCT).

4 DEPENDENT CLAIMS 2-9, 11-18

Dependent claims 2-9, 11-18 do not contain any features (see D1: paragraphs 39, 40, 48; D2: paragraphs 30, 34, 35) which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty or inventive step (Article 33(2) and (3) PCT).